

Testimony

of

David Venturella

Former acting Director of the Office of Detention and
Removal Operations

Before the

House Committee on Homeland Security

Subcommittee on Management, Integration and Oversight

A hearing regarding:

CBP and ICE: Does the Current Organizational Structure
Best Serve U.S. Homeland Security Interests

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Mr. Chairman and honorable Congressional Members, I would like to thank you for the opportunity to testify today and I am honored to appear before you to discuss the matter at hand.

In an eighteen year career in law enforcement, I have worked as an entry-level deportation officer with the former Immigration and Naturalization Service, to overseeing the detention and removal efforts of criminal and illegal aliens in the United States as the acting Director of Detention and Removal Operations within U.S. Immigration and Customs Enforcement, or ICE.

The creation of the Department of Homeland Security was one of the greatest and most significant re-alignment efforts in the federal government in over 40 years. The goal of the established Department to break through the layers of bureaucratic red tape, end the turf wars that existed between various law enforcement agencies and focus the mission of government on protecting our nation and its people will be achieved by asking questions such as the one presented here today.

The question of this hearing is...should we possibly merge ICE and CBP and is there a benefit to doing so? While I applaud this committee and others for recognizing that ICE and CBP are not functioning at their optimum level and are looking at options to fix that situation, it is my humble opinion that an option to merge the two organizations is not necessary at this time and may well cause the department to move backwards. The creation of DHS provided an opportunity to take a fresh look at how the former Customs Service and Immigration and Naturalization Service could maximize their effectiveness by aligning all of the right pieces to carry out its important missions; unfortunately that has not occurred. In particular, the potential envisioned by the creation of an enforcement agency has not been fully realized. Instead, I would recommend a thorough examination of the components of each bureau and redistributing programs to provide a logical alignment of operations, assets as well as the integration of appropriate resources. In that vein, I would suggest that you strongly consider placing customs and agriculture assets under CBP and immigration enforcement assets under ICE. The Federal Protective Service and the Federal Air Marshals Service should be moved elsewhere in the department. The experiment of forcing square pegs into round holes and jumbling numerous programs under one roof has served merely to diminish ICE's focus on enforcement.

Throughout my eighteen years of service in the former Immigration and Naturalization Service and the Immigration and Customs Enforcement Bureau, this country has lacked a clear policy on immigration issues. This lack of direction has made the current agencies responsible for enforcing these statutes without a clearly developed immigration enforcement strategy. This, in turn, makes their confusing missions more complicated.

The leadership at ICE had the most difficult job of the three immigration bureaus in addressing the critical infrastructure issues which are hampering the ability to execute basic functions. The fact remains that neither ICE nor CBP do not have plans that compliment one another nor are they capable of successfully moving forward. It is vital

to recognize that the two bureaus barely interact and when they do, they argue over budget, operations and jurisdiction.

That is not to say that there have not been successes in integration. The Arizona Border Control Initiative, the expansion of expedited removal between ports of entry, and the publication of joint detention priorities are a few of the areas where the two bureaus, working with the Border and Transportation Security (BTS) Directorate have been able to work together to increase the effectiveness and efficiency of operations. However, all too often, BTS, which has had insufficient resources to properly integrate the agencies has been forced to waste its scarce staff and resources mediating disputes between the bureaus instead of developing strategy and integrating operations to fulfill the Department's mission. Whether the decision is ultimately made to merge ICE and CBP or not- the real issues will remain unless the underlying mission, vision and planning occur in a unified manner.

If ICE, CBP and other Homeland agencies do not have the proper strategic planning, mission focus and strong leadership, their goals will remain unreachable and our country will remain vulnerable.

Fortunately for the Department, there are many dedicated individuals, who, often without the appropriate resources, clear mission and strategy, continue to perform the impossible. Within that same breath, the Department, and in particular, ICE has lost many talented individuals who could no longer wake up each day to face those same trying circumstances.

It is time to re-examine not just organizational issues, but the larger issues of policy, strategy and mission.

Again, thank you for the opportunity to testify regarding this important issue. I welcome the opportunity to answer any questions that you may have.